

***Introduction to the
Care Record Guarantee
for NHS staff***

July 2006

The Care Record Guarantee sets out the commitment of the NHS in its use of patient information as the health service in England moves towards a national electronic records system – the NHS Care Records Service.

Promise fulfilled

A revision of the Care Record Guarantee, published in July 2006, fulfils the promise that the document would be regularly reviewed following feedback to the Care Record Development Board.

The 12 core principles which were in the original version published in 2005 are retained but some sections have been changed following calls for greater clarity.

These include how information which names a patient can be used without first seeking the patient's permission.

Commitment 3, which says the NHS will not share information which identifies a patient, now includes "special permission for health and research purposes" among its clauses.

Specific examples of when this need might arise are given in commitment 4.

Other changes reflect that certain features of the NHS Care Records Service will not be available from the start.

Rights and responsibilities

What you need to know

- Handling of patient information is already covered by professional codes of conduct. Patients' rights around data security are protected by the Data Protection Act and the Human Rights Act. But these are not explicit about how electronic health records should be managed.
- Frontline NHS staff should be prepared to advise patients and answer their questions about their rights set out in the Care Record Guarantee.
- Sometimes health care will be provided by members of a care team, which might include people from other services, such as social services or education. If this is the case the patient must be told.
- When it could be best for a patient's care for health information to be shared with organisations outside the NHS, this must be agreed with the patient beforehand. If the patient does not agree, the possible effects this might have on their care must be discussed with them, together with any alternatives available to them.

Providing clarity

Harry Cayton, who chairs the CRDB and is the Department of Health's National Director for Patients and the Public, says clarity is the key of the revised guarantee.

"When the document was first published we said at the time, and indeed continue to say, that we would review it in the light of comments from other people.

"Most of the concerns voiced tended to be about clarity – was it clear enough and might it be misinterpreted?"

Comments came from patients, researchers and clinicians – in particular the BMA, RCGP and GMC - as well as other stakeholders including the Health Service Ombudsman and the Information Commissioner.

"The guarantee is the first time that any government department has set out as clearly and simply for the public how it intends to keep their information secure and how it intends to use their information for their benefit."



Harry Cayton
Chair
Care Record Development Board

Looking at big questions

Ethical issues around the sharing of medical information have been addressed by a group of health professionals and lawyers chaired by CRDB member Professor Joan Higgins.

Professor Higgins, who chairs the Patient Information Advisory Group, which advises the Secretary of State for Health on patient confidentiality and access to patient data, says:
"The guarantee is the first time we have spelt out and been clear about what patients can expect and what we intend to deliver.

"The feedback from staff has been very positive because it provides them with guidance about what is required and it will support them in their roles."



Professor Joan Higgins
Member
Care Record Development Board

The NHS Care Record Guarantee can be accessed and downloaded at www.connectingforhealth.nhs.uk/crdb

You can get more information on the Care Record Development Board from our website: www.connectingforhealth.nhs.uk/crdb

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